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RATTON LAW & MEDIATION P.S. 18826 ROBINWOOD ROAD SW PO BOX 636, VASHON, WA 98070 Tel: (206) 408-736 rexstratton@rbs-law.com

- 2.1 DIMENSIONAL COMMUNICATIONS, INC., a Connecticut corporation, having a principal place of business in Old Saybrook, Connecticut.
- 2.2 Christopher S. Crowell, an individual, residing in the state of Connecticut.Mr. Crowell is the President and CEO of Defendant Dimensional Communications, Inc.
- 2.3 Up With Paper, LLC, an Ohio limited liability company, having its principal place of business in Mason, Ohio.
- 2.4 George White, an individual, residing in the state of Ohio. Mr. White is the President of Up With Paper, LLC.

## **JURISDICTION AND VENUE**

- 3. This action arises under the copyright laws of the United States, Title 17 U.S.C. § 101, *et seq.* This court has jurisdiction over the copyright claims under 17 U.S.C. § 101 *et seq.*; 28 U.S.C. § 1331 (federal question); and 28 U.S.C. § 1338(a) (copyright).
- 4. Personal jurisdiction is appropriate pursuant to *Calder v. Jones*, 465 U.S. 783 (1984), *Schwarzenegger v. Fred Martin Motor Co.*, 374 F.3d 797 (9th Cir. 2004), and related authorities. As set forth below, Defendants intentionally engaged in transactions through which they purposefully availed themselves of the legal protections and benefits of the state of Washington, and which they knew would cause harm to Plaintiff in the state of Washington. As a result of Defendants prior licensing of copyright from Plaintiff, Defendants knew that Plaintiff maintained her business in Washington. Defendants also expressly and intentionally directed their subsequent publication and distribution of infringing works in Washington by making the infringing works available for distribution to purchasers in Washington, and by selling infringing works and other products through a continuously interactive commercial website.

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5. Venue in this district is proper under 28 U.S.C. § 1391 and/or 28 U.S.C. § 1400(a).

## FACTUAL BACKGROUND

- 6. Plaintiff designs paper crafts and the means for making folded paper three dimensional works. Her works are widely known, nationally and internationally and have been featured in national publications.
- 7. Effective December 1, 2004 (2004 License Agreement) Plaintiff entered into a license agreement with Up With Paper, Inc. then owned by Dimensional Communications, Inc. Please see Exhibit B attached hereto.
- 8. Effective June 18, 2006 Sandy Jackson and Dimensional Communications Inc. entered into a license agreement (2006 License Agreement). Please see Exhibit C attached hereto. By its terms, the 2006 License Agreement expired December 31, 2009.
- 9. On information and belief, Defendants have continued to sell formerly licensed products after December 31, 2009 without license or consent from Plaintiff thereby infringing Plaintiff's copyright.

## CLAIM FOR RELIEF Infringement of U.S. Copyright No. VA 1-354-972

- 10. Defendants infringe and continue to infringe U.S. Copyright Registration. VA 1-354-972 by distributing in commerce worldwide products that are substantially similar to the works registered by Plaintiff.
- 11. To the extent that one or more individual Defendants did not engage in direct acts of infringement, such Defendants engaged in contributory infringement and/or vicarious infringement because: (1) they had knowledge of the other Defendants' direct infringement and induced, caused, or materially contributed to the infringing conduct; and/or (2) they had the right COMPLAINT FOR COPYRIGHT INFRINGEMENT

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1	and ability to supervise the infringing conduct and a direct financial interest in the infringing			
2	activity.			
3	12. Defendants l	nave violated Plaintiff's exclusive rights of reproduction and		
4	distribution.			
5	13. The foregoin	ng acts of infringement were willful, intentional, and in disregard of		
6	and with indifference to the rights of Plaintiff.			
7	14. As a result o	f Defendants' infringement of Plaintiff's exclusive rights under the		
8	Copyright Act, Plaintiff is entitled to relief pursuant to 17 U.S.C. § 504 and attorneys' fees and			
9	costs pursuant to 17 U.S.C. § 505.			
10	16. The conduct	of Defendants is causing, and unless enjoined and restrained by this		
11	Court, will continue to cause Plaintiff irreparable injury that cannot fully be compensated or			
12	measured in money. Plaintiff has no adequate remedy at law. Pursuant to 17 U.S.C. §§ 502 and			
13	503, Plaintiff is entitled to injunctive relief prohibiting Defendants from further infringing			
14	Plaintiff's copyright and ordering that Defendants destroy all infringing copies made in violation			
15	of Plaintiff's copyright and ordering the destruction of all molds, matrices, tools and dies for			
16	making infringing copies.			
17	17. As a result o	f Defendant's willful infringement the case is exceptional and		
18	Plaintiff is entitled to enhan	ced statutory damages.		
19	PRAYER FOR RELIEF			
20	WHEREFORE, Plaintiff pr	WHEREFORE, Plaintiff prays:		
21	A. for an award	of all direct and consequential damages, including, at Plaintiff's		
22	election, statutory damages	pursuant to 17 U.S.C. § 504;		
23				
24	COMPLAINT FOR CODYRI			

1	В.	for Injunctive relief restraining Defendants from further publication of infringing		
2	materials or other infringement of Plaintiffs' copyrighted works pursuant to 17 U.S.C. §§ 502			
3	and 503 and for an order requiring the destruction of all infringing works and the molds,			
4	matrices, tooling and dies for making infringing copies;			
5	C.	for an award of Plaintiff's Attorneys' fees and costs awardable under 17 U.S.C. §		
6	505;			
7	D.	for an award of post-judgment interest on the entire judgment until paid in full;		
8	and			
9	E.	For such other and further relief as the Court deems just and equitable.		
10	DATED: May 1, 2015.			
11	By: /s/ Rex B. Stratton			
12	Rex B. Stratton, WSBA No. 1913 STRATTON LAW & MEDIATION P.S.			
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